

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: SERZONE
PRODUCTS LIABILITY LITIGATION

MDL NO. 1477
2:04-cv-1188

THIS DOCUMENT RELATES TO
CLASS ACTION SETTLEMENT

FINAL JUDGMENT ORDER

In accordance with the September 2, 2005 Memorandum Opinion and Order Approving Settlement and Certifying the Settlement Class [Docket 296], the court **ORDERS** that all claims pending in MDL No. 1477 are hereby **DISMISSED** with prejudice as to the Class Representatives and members of the Class, *save those members of the Class who properly requested exclusion in compliance with this court's orders*, without any assessment of costs, with such dismissal subject only to compliance by the parties with the terms and conditions of the Third Amended Settlement Agreement, as amended by the court's September 2, 2005 Memorandum Opinion and Order, and this Final Order and Judgment.

Pursuant to Rule 54 of the Federal Rules of Civil Procedure, the court **FINDS** that there is no just reason for delay and therefore **DIRECTS** entry of this **Final Judgment** as to the Class Representatives and members of the Class, as a final judgment.


Without any way affecting the finality of this Final Judgment as to the Class Representatives and members of the Class, the court hereby retains exclusive jurisdiction over this action, and every aspect of the interpretation, implementation and enforcement of the Settlement, until the Settlement

Agreement has been consummated and each and every act agreed to be performed by the parties thereto shall have been performed, and thereafter for all other purposes necessary to interpret, effectuate and enforce the terms of the Settlement Agreement, the orders of this court, and in aid of this court's jurisdiction and to protect and effectuate its judgments.

The court DIRECTS the Clerk to file a copy of this order as the Final Judgment in each case filed or transferred here as part of MDL No. 1477, except those cases where individual plaintiffs have properly requested exclusion.

The court **DIRECTS** the Clerk to send a copy of this Judgment Order to Defendant's Liaison Counsel, Plaintiffs' Liaison Counsel, and the Clerk of the Judicial Panel on Multidistrict Litigation and **DIRECTS** the Clerk to post this order at <http://www.wvsd.uscourts.gov>.

ENTER: September 9, 2005



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE